

IN THE MATTER OF THE  
THE APPLICATION OF  
THE PRICE COMPANY  
FOR A ZONING RECLASSIFICATION  
FROM M.L.-C.S.-1 AND M.L.-I.M.  
TO B.R.-C.S.-1 AND B.R.-I.M. ON  
PROPERTY LOCATED ON THE SOUTHEAST  
SIDE PULASKI HIGHWAY, APPROXIMATELY  
660' SOUTHWEST OF CENTERLINE MOHRS  
LANE (9919 PULASKI HIGHWAY)  
15TH ELECTION DISTRICT  
6TH COUNCILMANIC DISTRICT

#### OPINION

The Petitioner, The Price Company, has filed a Petition for Reclassification of its property known as 9919 Pulaski Highway located in the Fifteenth Election District of Baltimore County, Maryland. The Petitioner appeared, represented by Robert A. Hoffman, Esquire, and offered testimony in support of the reclassification request. There was no opposition offered at the hearing on November 1, 1991, and People's Counsel for Baltimore County did not participate in the proceedings, although they directed correspondence to this Board dated September 10, 1991 indicating to the Board that People's Counsel was not in opposition to this request.

The Petitioner presented the testimony of Al Meloro, a representative from Pep Boys; Anthony J. Haley, Acting Director, Economic Development Commission for Baltimore County; Glen Cook, a traffic consultant; and William F. Kirwin, a landscape architect and land planner. The Documented Site Plan and architectural drawings were entered into evidence. Petitioner is requesting that the subject property be reclassified from M.L.-C.S.-1 and M.L.-I.M.

#### Case No. CR-91-364 The Price Company

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to B.R.-C.S.-1 and B.R.-I.M. The Documented Site Plan shows that Petitioner proposes to erect a 23,000 square foot building consisting of ten service bays for service and maintenance of automobiles and retail sales. The location of the building will be in the southwest corner of The Price Club Plaza which presently consists of The Price Club, a retail establishment, and the Home Depot U.S.A. and Sports Authority, also retail sales outlets. The evidence established that public utilities are in place and that the roads are adequate to service the Plaza complex. The Board was informed by Mr. Meloro that in his opinion the proposed zoning change and use of the building for servicing of vehicles and sale of automotive parts would be in keeping and compatible with the other surrounding uses within the Plaza. Mr. Meloro testified that in his opinion the present industrial classification for the property was in error.

Mr. Anthony Haley, Acting Director of Baltimore County's Economic Development Commission, also testified in support of the zoning reclassification and informed the Board that in his opinion it makes good sense to change the zoning and that his office is in favor of the requested change.

Mr. William F. Kirwin, an expert landscape architect who has previously appeared before this Board, testified that the present industrial classification of the property is in error and provided the Board with his reasons why the property was erroneously zoned. He enumerated the factors that must be considered by this Board as

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set out in Section 2-58.1(j) of the Baltimore County Code. In giving his reasons, he specifically directed the Board to those provisions of the Code, and stated that in his opinion the property should be reclassified. Additionally, Mr. Kirwin stated that he concurred with the recommendation of the Office of Planning & Zoning who likewise recommends that Petitioner's request for reclassification be approved. The reasons given by the Office of Planning & Zoning are contained in their report (see Petitioner's Exhibit No. 6).

It is clear to this Board based upon the evidence and testimony presented that the subject property is erroneously zoned and that the reclassification request should be granted. The Board's granting of this request is founded upon the testimony given, particularly that of Mr. Kirwin, and the report of the Office of Planning & Zoning which recommends the reclassification. In granting this reclassification, the Board agrees with the recommendation of the Office of Planning & Zoning wherein they conclude that there "will not be any significant adverse impact on the surrounding properties in the general neighborhood."

#### ORDER

FOR THE REASONS SET OUT ABOVE, IT IS THEREFORE this 20th day of November, 1991 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Reclassification from M.L.-C.S.-1 and M.L.-I.M. to B.R.-C.S.-1 and B.R.-I.M. as shown on the

#### Case No. CR-91-364 The Price Company

Documented Site Plan entered as Petitioner's Exhibit No. 1 be and is hereby GRANTED subject to the following restriction:

1. A landscape plan shall be submitted to the Baltimore County Landscape Planner. The plan should then be forwarded to the Deputy Director of the Office of Planning & Zoning prior to the issuance of any building permits. Subsequent to the approval of the Deputy Director, the Petitioner shall provide a copy of the approved landscape plan to the Zoning Office to ensure that it becomes a part of the official file.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

#### COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Michael B. Sauls, Acting Chairman

C. William Clark

S. Diane Levero

### PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

#### TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an ML-CS-1 and ML-IM zone to an BR-CS-1 and BR-IM zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for retail sales of automotive parts and service garage

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
P.O. BOX 428 TOWSON, MARYLAND 21204

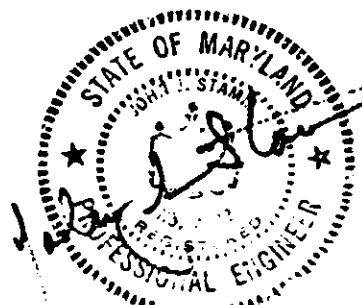
#### AREA 1 (ZONE ML-CS-1 to ZONE BR-CS-1)

Description for Zoning Reclassification February 16, 1991  
containing 2.900 acres of land more or less.

Beginning for the same at a point on the southeastern side of Pulaski Highway - U.S. Route 40, 150 foot Right-of-Way, said point being designated 1, having Baltimore County Metropolitan District coordinate values of North 22090.35 and East 47335.11 and being at the westernmost corner of that parcel of land shown on a Plat entitled "PRICE CLUB PLAZA, Northeast Baltimore" dated July 20, 1990, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 62 folio 129, said point of beginning being measured South 37 degrees 24 minutes 23 seconds West 1219.73 feet from the centerline intersection of said Pulaski Highway and Mohrs Lane, 60.00 foot wide shown on said Plat, running thence leaving said point of beginning, binding on the southeastern side of said Pulaski Highway and the outline of said Plat, 1) North 40 degrees 55 minutes 54 seconds East 558.22 feet to intersect the zoning line between the ML-CS-1 and BR-CS-1 zones shown on the 1988 Comprehensive Zoning Map, adopted by the County Council, October 13, 1988, running thence binding on said zoning line, 2) South 69 degrees 01 minutes 38 seconds East 239.38 feet to intersect the zoning line between the ML-CS-1 and ML-IM zones shown on said Map, running thence binding on said last mentioned zoning line, 3) South 40 degrees 55 minutes 54 seconds West 564.75 feet to intersect said Plat outline, running thence binding on said Plat outline, 4) North 67 degrees 32 minutes 37 seconds West 237.23 feet to the point of beginning.

Containing 2.900 acres of land more or less.

NOTE: This description prepared for Zoning Purposes Only and not intended to be used for conveyances or agreements.



FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
P.O. BOX 428 TOWSON, MARYLAND 21204

#### AREA 2 (ZONE ML-IM to ZONE BR-IM)

Description for Zoning Reclassification February 16, 1991  
containing 0.652 acres of land more or less.

Beginning for the same at a point on the southwestern outline of that parcel of land shown on a Plat entitled "PRICE CLUB PLAZA, Northeast Baltimore" dated July 20, 1990, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 62 folio 129, said point of beginning being measured South 67 degrees 32 minutes 37 seconds East 237.23 feet from the point designated 1, having Baltimore County Metropolitan District coordinate values of North 22090.35 and East 47335.11 at the westernmost corner of said Plat, said point of beginning also being measured South 26 degrees 12 minutes 57 seconds West 1180.99 feet from the centerline intersection of Pulaski Highway - U.S. Route 40, 150 foot Right-of-Way and Mohrs Lane, 60.00 foot wide shown on said Plat, running thence leaving said point of beginning, binding on the zoning line between the ML-CS-1 and ML-IM zones shown on the 1988 Comprehensive Zoning Map, adopted by the County Council, October 13, 1988, 1) North 40 degrees 55 minutes 54 seconds East 434.76 feet, running thence leaving said zoning line, 2) South 22 degrees 27 minutes 23 seconds West 412.36 feet to intersect said Plat outline, running thence binding on said Plat outline, 3) North 67 degrees 32 minutes 37 seconds West 137.77 feet to the point of beginning.

Containing 0.652 acres of land more or less.

NOTE: This description prepared for Zoning Purposes Only and not intended to be used for conveyances or agreements.



#### NOTICE OF HEARING

Part of  
Case No. CR-91-364  
County Board of Appeals  
Baltimore County  
Pulaski Highway  
15th Election District  
6th Councilmanic District  
The Price Company  
Pep Boys, Marv, Mike & Jack

Property Description  
Area 1  
Beginning for the same at a point on the southeastern side of Pulaski Highway - U.S. Route 40, 150 foot Right-of-Way, said point being designated 1, having Baltimore County Metropolitan District coordinate values of North 22090.35 and East 47335.11 and being at the westernmost corner of that parcel of land shown on a Plat entitled "PRICE CLUB PLAZA, Northeast Baltimore" dated July 20, 1990, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 62 folio 129, said point of beginning being measured South 37 degrees 24 minutes 23 seconds West 1219.73 feet from the centerline intersection of said Pulaski Highway and Mohrs Lane, 60.00 foot wide shown on said Plat, running thence leaving said point of beginning, binding on the southeastern side of said Pulaski Highway and the outline of said Plat, 1) North 40 degrees 55 minutes 54 seconds East 558.22 feet to intersect the zoning line between the ML-CS-1 and BR-CS-1 zones shown on the 1988 Comprehensive Zoning Map, adopted by the County Council, October 13, 1988, running thence binding on said zoning line, 2) South 69 degrees 01 minutes 38 seconds East 239.38 feet to intersect the zoning line between the ML-CS-1 and ML-IM zones shown on said Map, running thence binding on said last mentioned zoning line, 3) South 40 degrees 55 minutes 54 seconds West 564.75 feet to intersect said Plat outline, running thence binding on said Plat outline, 4) North 67 degrees 32 minutes 37 seconds West 237.23 feet to the point of beginning.

#### CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/17/91.

NORTHEAST TIMES BOOSTER and the  
NORTHEAST TIMES REPORTER

S. Zake Wilson  
Publisher

\$ 252.07

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 10/18/91

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/17/91.

**THE JEFFERSONIAN,**  
*S. Zetser Orlan*  
 Publisher  
 \$252-07

**NOTICE OF HEARING**  
 The Board of Appeals of Baltimore County, Maryland, will hold a public hearing on the following petition for the reclassification of land shown on a Plat entitled "PRICE CLUB PLAZA, Northeast Baltimore" dated July 20, 1990, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 62 folio 129, said point of beginning being measured South 17 degrees 24 minutes 23 seconds East 1219.73 feet from the easterly intersection of said Pulaski Highway and Mohr Lane, 60.00 foot wide shown on said Plat, running thence leaving said point of beginning, binding on the southeastern side of said Pulaski Highway and the outline of said Plat:  
 (1) North 40 degrees 55 minutes 54 seconds East 558.22 feet to intersect the zoning line between the ML-CS-1 and ML-1N zones shown on the 1988 Comprehensive Zoning Map, adopted by the County Council, October 13, 1988, running thence binding on said zoning line.  
 (2) South 67 degrees 32 minutes 37 seconds West 137.77 feet to the point of beginning.  
 (3) North 67 degrees 32 minutes 37 seconds West 137.77 feet to the point of beginning.  
 Containing 0.652 acres of land more or less.

**Baltimore County Zoning Commission**  
 County Office Building  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204

Account: R-001-6150  
 Number: 6150-12

Date: 10/18/91

**receipt**

Please Make Checks Payable To: Baltimore County

**Baltimore County Zoning Commissioner**  
 County Office Building  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204

Account: R-001-6150  
 Number: 6150-12

Date: 10/18/91

**receipt**

Case #CR-91-364

See hand-written receipt dated 2-28-91

Please Make Checks Payable To: Baltimore County

**Baltimore County Government**  
 Office of Zoning Administration  
 and Development Management  
 Office of Planning & Zoning

111 West Chesapeake Avenue  
 Towson, MD 21204

October 25, 1991

887-3353

Mr. Joe Cirelli

Re: Petition for Zoning Reclassification  
 Case Number: CR-91-364  
 1/3 Pulaski Highway, approximately 660' SW of c/l Mohr Lane  
 15th Election District - 6th Councilmanic  
 Legal Owner(s): The Price Company  
 Contract Lessee: Pop Boys, Manny, Moe and Jack  
 HEARING: WEDNESDAY, OCTOBER 30, 1991 at 10:00 a.m.

Dear Petitioner(s):

This is to advise you that \$ 966.29 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and immediately mail same to the attention of: G. Stephens, Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Very truly yours,

Zoning Commissioner

cc: Robert Hoffman, Esq.

**NOTICE OF HEARING**

Petition for Zoning Reclassification  
 CASE NUMBER: CR-91-364  
 SE/S Pulaski Highway, approximately 660' SW of c/l Mohr Lane  
 15th Election District - 6th Councilmanic  
 Legal Owner(s): The Price Company  
 Contract Lessee: Pop Boys, Manny, Moe and Jack

**PROPERTY DESCRIPTION**

Area 1  
 Beginning for the same at a point on the southeastern side of Pulaski Highway - U. S. Route 40, 150 foot Right-of-Way, said point being designated 1, having Baltimore County Metropolitan District coordinates values of North 22090.35 and East 47335.11 and being at the westernmost corner of that parcel of land shown on a Plat entitled "PRICE CLUB PLAZA, Northeast Baltimore" dated July 20, 1990, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 62 folio 129, said point of beginning being measured South 17 degrees 24 minutes 23 seconds East 1219.73 feet from the easterly intersection of said Pulaski Highway and Mohr Lane, 60.00 foot wide shown on said Plat, running thence leaving said point of beginning, binding on the southeastern side of said Pulaski Highway and the outline of said Plat,  
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 (3) South 40 degrees 55 minutes 54 seconds West 564.75 feet to intersect said Plat outline, running thence binding on said Plat outline  
 (4) North 67 degrees 32 minutes 37 seconds West 237.23 feet to the point of beginning.  
 Containing 2.900 acres of land more or less.

Page 1 of 2

**Area 2**  
 Beginning for the same at a point on the southwestern outline of that parcel of land shown on a Plat entitled "PRICE CLUB PLAZA, Northeast Baltimore" dated July 20, 1990, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 62 folio 129, said point of beginning being measured South 67 degrees 32 minutes 37 seconds East 237.23 feet from the point designated 1, having Baltimore County Metropolitan District coordinate values of North 22090.35 and East 47335.11 at the westernmost corner of said Plat, said point of beginning also being measured South 26 degrees 12 minutes 37 seconds West 1180.99 feet from the easterly intersection of Pulaski Highway - U.S. Route 40, 150 foot Right-of-Way and Mohr Lane, 60.00 foot wide shown on said Plat, running thence leaving said point of beginning, binding on the zoning line between the ML-CS-1 and ML-1N zones shown on the 1988 Comprehensive Zoning Map, adopted by County Council, October 13, 1988,  
 (1) North 40 degrees 55 minutes 54 seconds East 434.76 feet, running thence leaving said zoning line  
 (2) South 22 degrees 27 minutes 23 seconds West 412.36 feet to intersect said Plat outline, running thence binding on said Plat outline,  
 (3) North 67 degrees 32 minutes 37 seconds West 137.77 feet to the point of beginning.  
 Containing 0.652 acres of land more or less.

**RECLASSIFICATION:** Petition to reclassify Area 1 from M.L.-CS-1 to B.R.-C.S.-1 and Area 2 from M.L.-1.N. to B.R.-1.N.

**HEARING:** WEDNESDAY, OCTOBER 30, 1991 at 10:00 a.m.

**LOCATION:** County Office Building, Room 301  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

**WILLIAM T. HACKETT, CHAIRMAN**  
 COUNTY BOARD OF APPEALS

Page 2 of 2

**Baltimore County Government**  
 Office of Zoning Administration  
 and Development Management  
 Office of Planning & Zoning

111 West Chesapeake Avenue  
 Towson, MD 21204

October 15, 1991

887-3353

John B. Howard, Esquire  
 Venable, Baetjer and Howard  
 210 Allegheny Avenue  
 Towson, MD 21204

RE: Item No. 6  
 Case No. R91-364  
 Petitioner: The Price Company  
 Reclassification  
 Petition

Dear Mr. Howard:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October-April reclassification cycle (Cycle V). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office on or before October 30, 1991. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

R91-364  
 John B. Howard  
 Page 2

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 887-3391 or the commenting agency.

Very truly yours,  
*James E. Dyer*  
 JAMES E. DYER  
 Chairman  
 Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: The Price Company  
 Mr. Joe Cirelli

**Baltimore County Government**  
 Office of Zoning Administration  
 and Development Management  
 Office of Planning & Zoning

111 West Chesapeake Avenue  
 Towson, MD 21204

October 15, 1991

887-3353

Your petition has been received and accepted for filing this 25th day of February, 1991.

*Arnold Jablon*  
 ARNOLD JABLON  
 DIRECTOR

Received By:  
*James E. Dyer*  
 Chairman,  
 Zoning Plans Advisory Committee

Petitioner: The Price Company  
 Petitioner's Attorney: John B. Howard





CR-91-364  
#6

- ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
- BALTIMORE, MD  
WASHINGTON, D. C.  
MCLEAN, VA  
ROCKVILLE, MD  
BEL AIR, MD
- 210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21285-5517  
(301) 623-4111

February 28, 1991

1-800-368-5868

William T. Hackett, Chairman  
County Board of Appeals  
of Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Zoning Reclassification,  
Property located Southeast of the  
Intersection of Pulaski Highway and  
Mohrs Lane  
The Price Company, Legal Owner  
Pep Boys, Manny, Moe and Jack, Petitioner  
and Contract Lessee

Dear Chairman Hackett:

This firm represents The Price Company, legal owner, and Pep Boys, Manny, Moe and Jack, Petitioner, in this request to rezone property located at 9919 Pulaski Highway, South of Mohrs Lane in Baltimore County, Maryland. The subject property, a total of 3.75 acres, is currently zoned approximately 65 acres of BR-CS-1M, adjacent to Pulaski Highway, and approximately .27 acres of BR-CS-MJ-WC to the rear. Petitioner respectfully submits that the current zoning is in error and that the property should be rezoned to BR-CS-1 and BR-1M.

A review of the 200' and 1,000' scale comprehensive zoning maps indicate that the property is surrounded by property which is zoned BR-1M and/or BR-CS-1. For example, the contiguous properties to the north and west are zoned BR-CS-1, as is the property to the south; properties which are zoned commercial to a greater depth

than is being requested for the subject parcel.<sup>1</sup> Thus, it is readily apparent that this island of industrially zoned property is in error and should more appropriately be zoned BR.

The Petitioner in this case has filed a documented site plan showing the proposed use to be a Pep Boys store for the retail sale of automotive parts and a service garage. Adjacent uses include a restaurant, a recreational vehicle sales company, and the emerging uses that include the Home Depot (retail), The Sports Authority (retail) and an additional restaurant. Clearly, the Pep Boys would be entirely consistent with the surrounding uses, where an industrial use would be a mistake in this commercial corridor.

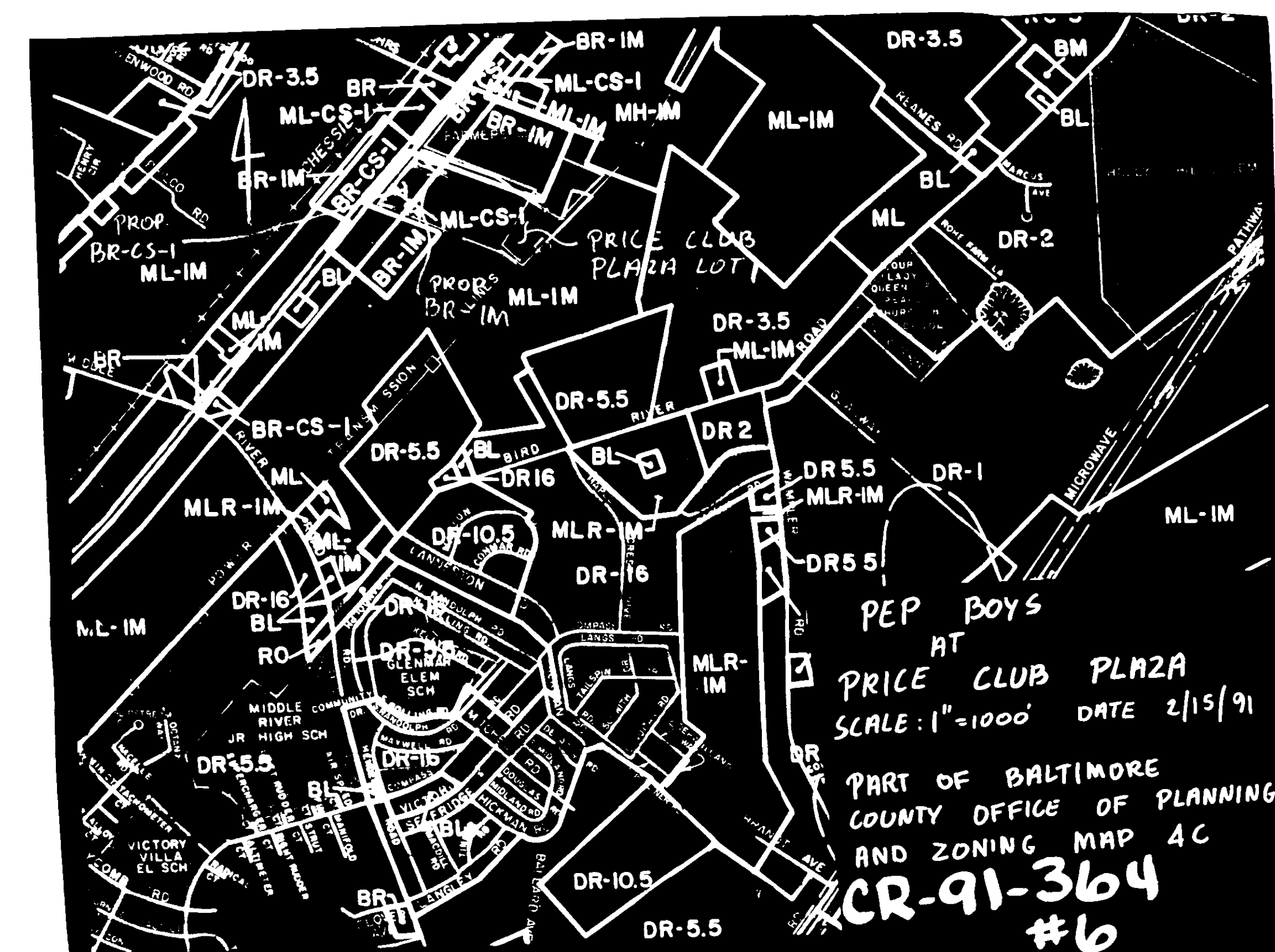
Therefore, for the reasons stated above and for such other reasons as may be presented at the public hearing before the Board of Appeals, Petitioner respectfully requests that the Board grant this Petition for Zoning Reclassification from ML-CS-1 and ML-IM to BR-CS-1 and BR-IM.

Yours truly,

Robert A. Hoffman

RAH/cac

<sup>1</sup> It should also be noted that the small strip of the property to the south that is zoned ML-IM and lies between the subject property and the BR-CS-1 zoned property appears to be a technical mapping error in that the property line and commercial zoning line should coincide.





BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: June 19, 1991

TO: Mr. J. Robert Haines  
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Zoning Reclassification Cycle V

ITEM NUMBER: 6

The existing M.L.-C.S.-1 and M.L.-I.M. zoning for this site can be expected to generate approximately 190 vehicle trips per day, and the proposed B.R.-C.S.-1 and B.R.-I.M. zoning can be expected to generate approximately 1,780 vehicle trips per day. However, the proposed use shown on the documented site plan can be expected to generate approximately 1,670 vehicle trips per day.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd



Maryland Department of Transportation  
State Highway Administration

April 16, 1991

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
Attn: James Dyer

RE: Baltimore County  
Zoning reclassification  
Cycle V  
The Price Company  
Case #CR-91-364  
Hearing Date 10/30/91  
SIS Pulaski Highway  
US 40  
660' west of Mohr's Lane  
Item #6

Dear Mr. Haines:

We have reviewed the submittal for the Price Company property (Pep Boys) and find the plan acceptable with all highway improvements having been made.

If you have any questions, please contact Larry Brocato (333-1350).

*Very truly yours,*  
*John Contestabile*  
John Contestabile, Chief  
Engineering Access Permits  
Division

LB/les

cc: G.W. Stephens, Jr. and Associates Inc.  
Mr. J. Ogle

My telephone number is 333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-3683 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21202-0717

CASE NO. CR-91-364

CYCLE V, ITEM 6

PETITIONER:

The Price Company

REQUESTED ACTION:

Reclassification to BR-CS-1 (2.9 acres) and BR-IM (0.65 acre).

EXISTING ZONING:

ML-CS-1 (2.83 acres), ML-IM (0.65 acre), and BR-CS-1 (0.27 acre).

LOCATION:

Southeast side of Pulaski Highway, 725 feet southwest of Mohr's Lane.

AREA OF SITE:

Total site size is 3.75 acres. Total area requested to be rezoned is 3.55 acres.

ZONING OF ADJACENT PROPERTY/USE:

Northeast: BR-CS-1/Retail commercial and restaurant under construction (part of Price Club Plaza)

Southeast: ML-IM/Price Club membership warehouse outlet

Southwest: BR-CS-1 and BR-IM/Vacant land

Northwest: BR-CS-1/Largely vacant land (opposite side of Pulaski Highway)

SITE DESCRIPTION:

The applicant's property fronts on Pulaski Highway. The site is part of lot 1 of the Price Club Plaza development project. The site is level and improved as a parking lot for the Price Club, a membership warehouse outlet.

PROPERTIES IN THE VICINITY:

This site is owned by the Price Company and is bounded on the southeast and northeast by remaining Price Company property. The site is part of the 36.5-acre Price Club Plaza development project. The Price Club, a 105,600 square foot membership warehouse outlet, is located to the southeast on ML-IM zoned

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The Price Company  
Case No. CR-91-364, Cycle V, Item 6  
Page 2

land. The Price Club property to the northeast of the subject site is zoned BR-CS-1 and BR-IM and has been approved for the development of retail commercial and a restaurant (see amended CRG Plan approved 6/21/90). Adjacent land to the southwest is undeveloped and is zoned BR-CS-1. Adjacent land to the northwest on the opposite side of Pulaski Highway is largely undeveloped and is zoned BR-CS-1.

WATER AND SEWERAGE:

The site is served by public water and sewer, and is designated as W-1, S-1 (existing service area) on the Master Water and Sewer Plan.

TRAFFIC AND ROADS:

Pulaski Highway is a four-lane, divided, arterial highway. Vehicular access to the site is provided from access drives for the Price Club located at the southwest and northeast ends of the site. The Pulaski Highway accesses are designed as right-turn in and out only. There are no median breaks on Pulaski Highway at this location.

The site is located approximately 725 feet south of the signalized intersection of Pulaski Highway and Mohr's Lane. The site is indirectly accessible from Mohr's Lane via an existing access drive for Price Club Plaza.

ZONING HISTORY:

The BR-CS-1 zoning on the northern, 0.27-acre portion of the site was granted in 1988 (see C2M Item 6-133). The remainder of the site has been zoned ML-CS-1 and ML-IM since prior to 1976.

MASTER PLAN/COMMUNITY PLANS:

The site is designated "Industrial" on the Eastern Sector Land Use Plan map adopted February 5, 1990.

PROPOSED VS. EXISTING ZONING:

Regulations governing the B.R. zone may be found in Section 236 of the Baltimore County Zoning Regulations. Regulations governing the M.L. zones can be found in Section 253.1 of the Baltimore County Zoning Regulations.

The B.R. zone allows a wide range of uses. Density is regulated by a floor area ratio of 2.0. Density is realistically limited by parking requirements and economic constraints. Building height is limited by height tent regulations. Setbacks include

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The Price Company  
Case No. CR-91-364, Cycle V, Item 6  
Page 3

front yards not less than 25 ft. from the property line of any street (see Section 303.2 for front yard average). Side and rear yard setbacks for buildings are 30 ft., and all parking must maintain a setback of 8 ft. from residential zones. Section 259.2.9 of the Baltimore County Zoning Regulations. Information relative to the CS-1 district can be found under Section 259.2F of the Baltimore County Zoning Regulations.

DOCUMENTED SITE PLAN:

The petitioner has submitted a documented site plan and elevation drawings. The site plan shows a 23,500 square foot Pep Boys automotive parts store and service garage. Although only 118 off-street parking spaces are required by the B.C.Z.R., 234 spaces will be provided. A note on the plan indicates that the excess parking on the Pep Boys area may be utilized by lot #2 [of Price Club Plaza] through a reciprocal parking agreement.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

The staff recommends that the Petitioner's request be approved for the following reasons:

1. The site is fairly small (3.75 acres) and part of the site (0.27 acre) is presently zoned BR-CS-1.
2. The requested zoning is consistent with the zoning of surrounding properties. Business zoning abuts the site on three sides.
3. The site appears to be underutilized at the present time as a parking lot for the Price Club membership warehouse.
4. It appears that the rezoning and development of the site as requested will not have any significant adverse impacts on surrounding properties and the general neighborhood.

Based upon the analysis conducted and the information provided, staff recommends the Petitioner's request be "APPROVED" subject to the following conditions:

- A schematic landscape plan, prepared in accordance with the current Landscape Manual adopted by the Baltimore County Council on October 1, 1990 (County Council Resolution Number 56-90), must be submitted for this plan to be considered for approval through the C.R.G. process.

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The Price Company  
Case No. CR-91-364, Cycle V, Item 6  
Page 4

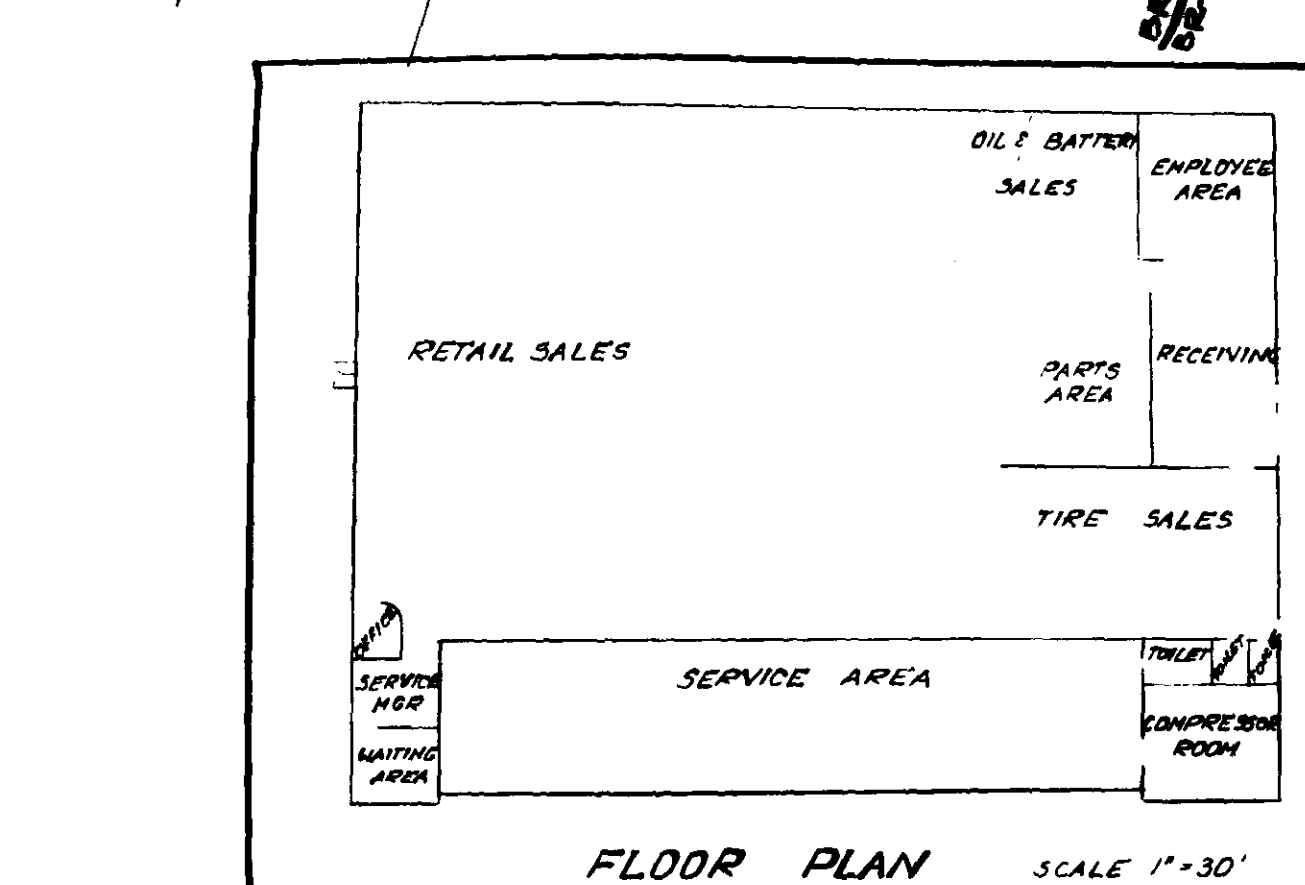
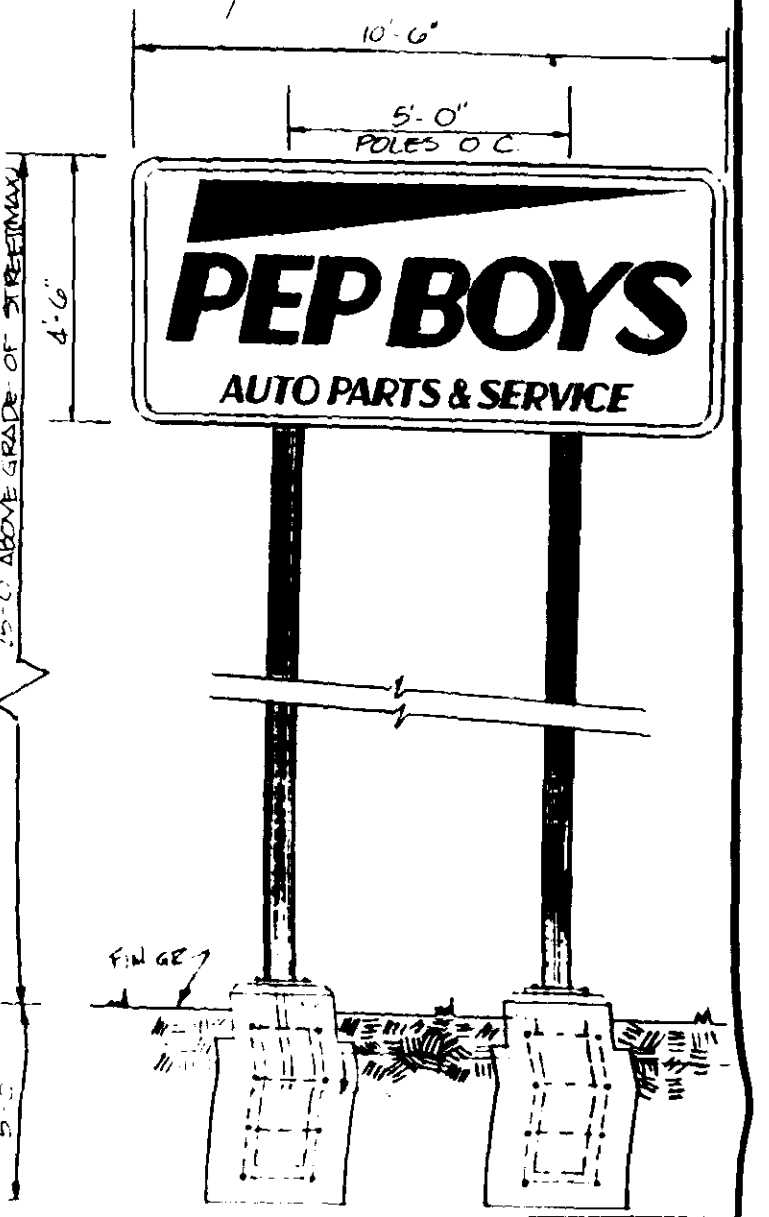
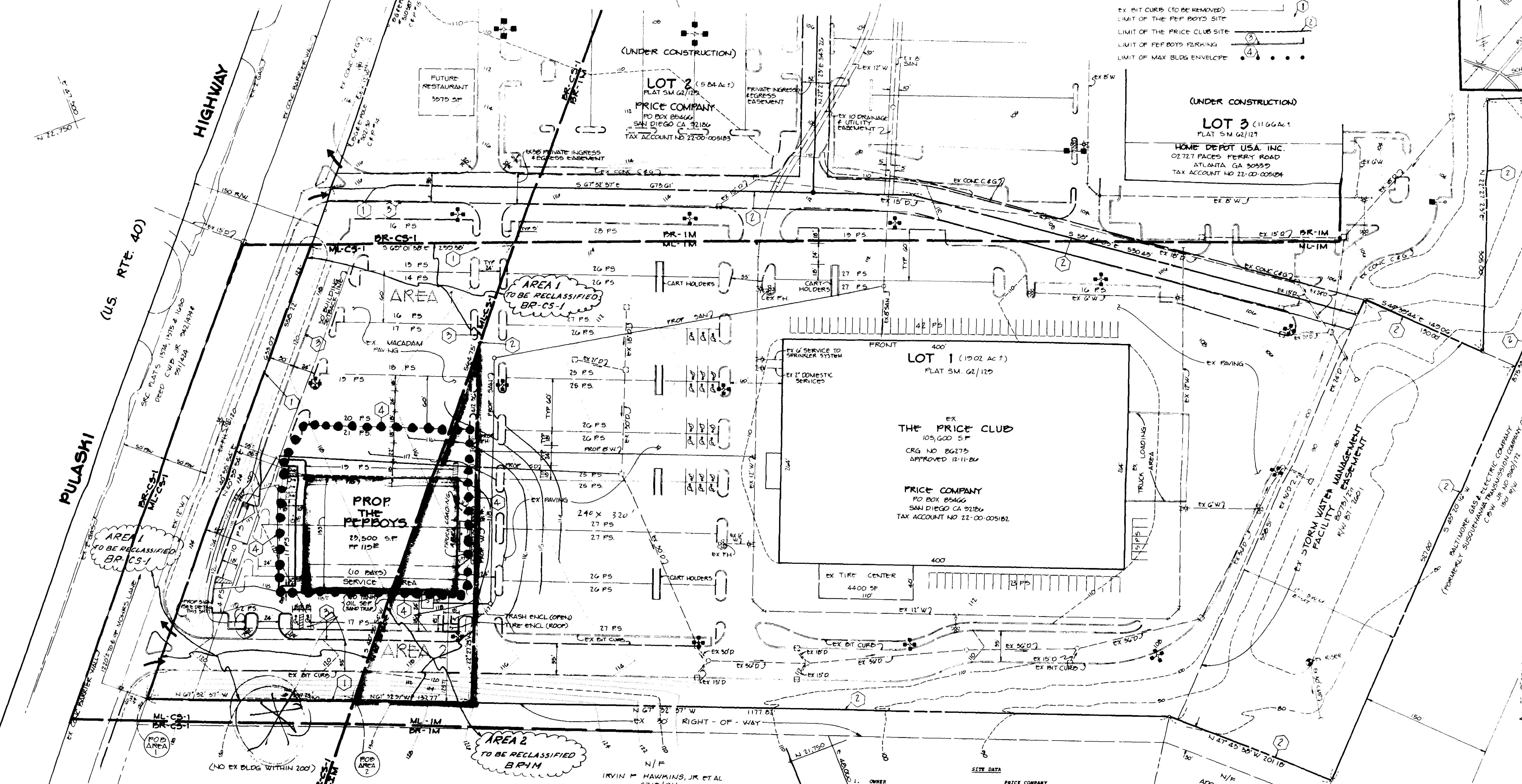
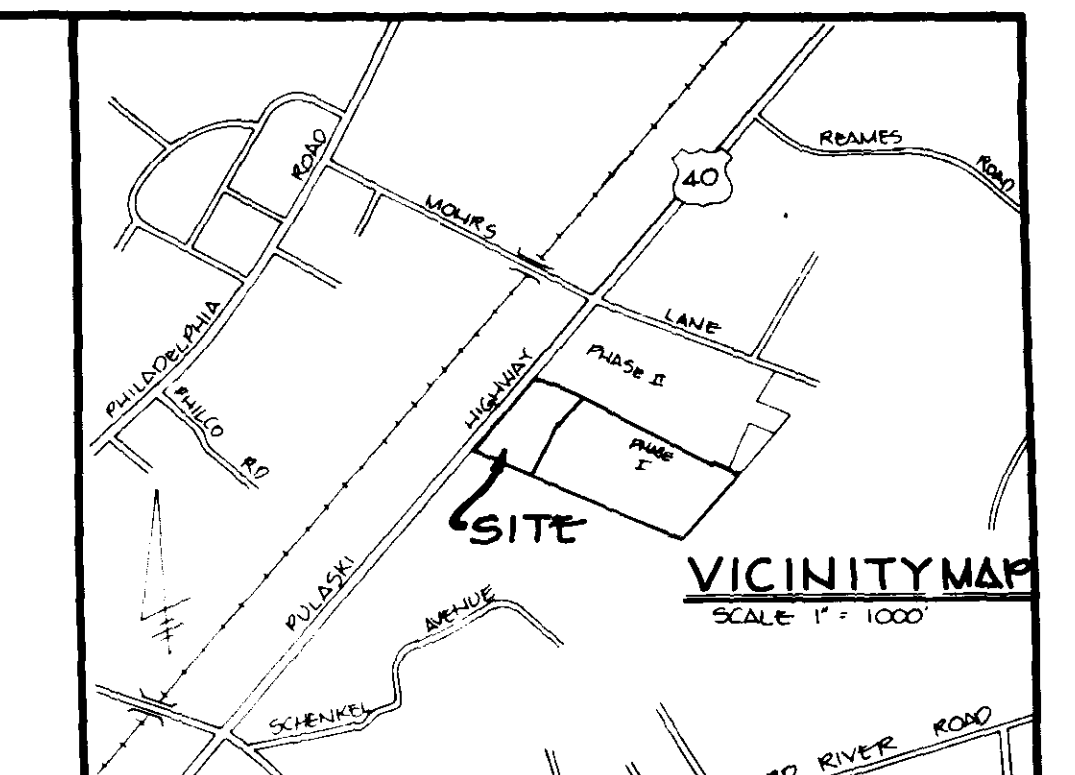
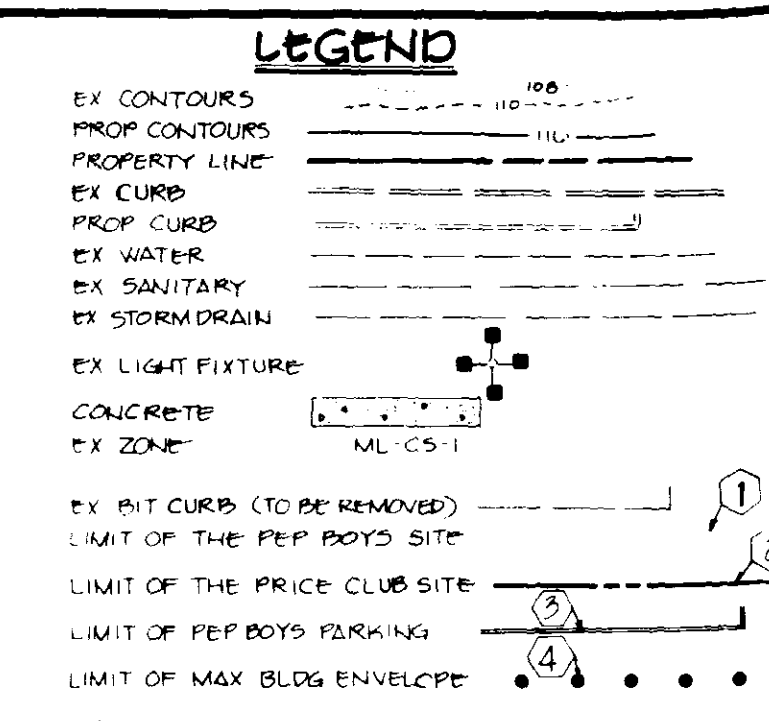
- The Office of Planning and Zoning prefers that landscape plans be prepared independent of the site plan; however, a combined site plan/schematic landscape plan is acceptable.
- A landscape plan shall be submitted to the Baltimore County Landscape Planner. The plan should then be forwarded to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permits. Subsequent to the approval of the Deputy Director, the petitioner shall provide a copy of the approved landscape plan to the Zoning Office to ensure that it becomes a part of the official file.

CYCZCR91.364/TXTLLF

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**GENERAL NOTES**

- EXISTING TOPOGRAPHY FROM SITE PLAN PREPARED BY LANDTECH CORPORATION DATED APRIL, 1987.
- SITE SERVED BY PUBLIC WATER AND SEWER.
- STORM WATER MANAGEMENT PROVIDED BY EXISTING STORM WATER MANAGEMENT FACILITY.
- ALL PARKING SPACES AND DRIVEWAYS SHALL BE PAVED WITH BITUMINOUS CONCRETE AND SHALL BE PERMANENTLY STRIPED.
- ALL PARKING SPACES ARE 9'x18' EXCEPT HANDICAP SPACES ARE 13'x18'.
- LIGHTING SHALL BE DIRECTED TO NOT REFLECT ON ADJACENT PROPERTIES OR ROADWAYS.
- NO LEASE LINES WILL BE USED IN THE PRICE CLUB LOT #1.
- BUILDING MAY DECREASE IN SIZE WITHIN THE BUILDING ENVELOPE SHOWN UPON FINAL ARCHITECTURAL DESIGN AND THE PARKING REQUIREMENTS WILL BE ADJUSTED ACCORDINGLY.
- ANY SIGN ERECTED IN THE PREP BOYS AREA FOR THE PREP BOYS STORE SHALL COMPLY WITH SECTION 411.1, 411.2 OF THE BALTIMORE CITY ZONING REGULATIONS AND ALL SIGNING SHALL BE IN ACCORDANCE WITH THE BALTIMORE CITY ZONING REGULATIONS.



**PEP BOYS AREA SUMMARY (SHOWN THUS:)**

EXISTING BR-CS-1 ZONE - 0.27 AC

EX. NL-CS-1 ZONE TO BE RECLASSIFIED BR-CS-1 - 2.83 AC

EX. NL-IM ZONE TO BE RECLASSIFIED BR-IM - 0.65 AC

**TOTAL 3.75 AC**

**TOTAL AREA TO BE RECLASSIFIED**

FROM NL-CS-1 ZONE TO BR-CS-1 ZONE - 2.80 AC (AREA 1)

FROM NL-IM ZONE TO BR-IM ZONE - 0.65 AC (AREA 2)

**PLAN**  
SCALE: 1" = 50'

NO.	DESCRIPTION	AREA	PRICE COMPANY
1.	OWNER	PRICE COMPANY	110,000,000 (715) (00)
2.	DEED REFERENCE	110,000,000 (715) (00)	110,000,000 (715) (00)
3.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
4.	PROPERTY NUMBER	110,000,000 (715) (00)	110,000,000 (715) (00)
5.	ELECTION DISTRICT	110,000,000 (715) (00)	110,000,000 (715) (00)
6.	WATERSHED	110,000,000 (715) (00)	110,000,000 (715) (00)
7.	CRC PLAN APPROVED (NO. 86275)	110,000,000 (715) (00)	110,000,000 (715) (00)
8.	CRC PLAN APPROVED (NO. 86275)	110,000,000 (715) (00)	110,000,000 (715) (00)
9.	CRC PLAN APPROVED (NO. 86275)	110,000,000 (715) (00)	110,000,000 (715) (00)
10.	AS PROPOSED	110,000,000 (715) (00)	110,000,000 (715) (00)
11.	ZONE	110,000,000 (715) (00)	110,000,000 (715) (00)
12.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
13.	EX. USE	110,000,000 (715) (00)	110,000,000 (715) (00)
14.	PROP. USE	110,000,000 (715) (00)	110,000,000 (715) (00)
15.	BUILDING COVERAGE	110,000,000 (715) (00)	110,000,000 (715) (00)
16.	P.A.R. PROVIDED	110,000,000 (715) (00)	110,000,000 (715) (00)
17.	P.A.R. PERMITTED	110,000,000 (715) (00)	110,000,000 (715) (00)
18.	LOCAL OPEN SPACE	110,000,000 (715) (00)	110,000,000 (715) (00)
19.	PARKING REQUIRED	110,000,000 (715) (00)	110,000,000 (715) (00)
20.	PARKING PROVIDED	110,000,000 (715) (00)	110,000,000 (715) (00)
21.	THE EXCESS PARKING ON THE PREP BOYS AREA MAY BE UTILIZED BY LOT #2 THROUGH #4 (RESERVED PARKING NONREVENUE)	110,000,000 (715) (00)	110,000,000 (715) (00)
22.	LANDSCAPE PARKING (20% P.S.)	110,000,000 (715) (00)	110,000,000 (715) (00)
23.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
24.	AREA OF PARKING LOT	110,000,000 (715) (00)	110,000,000 (715) (00)
25.	PROVIDED LANDSCAPE	110,000,000 (715) (00)	110,000,000 (715) (00)
26.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
27.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
28.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
29.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
30.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
31.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
32.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
33.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
34.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
35.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
36.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
37.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
38.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
39.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
40.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
41.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
42.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
43.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
44.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
45.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
46.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
47.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
48.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
49.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
50.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
51.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
52.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
53.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
54.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
55.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
56.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
57.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
58.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
59.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
60.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
61.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
62.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
63.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
64.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
65.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
66.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
67.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
68.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
69.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
70.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
71.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
72.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
73.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
74.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
75.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
76.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
77.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
78.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
79.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
80.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
81.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
82.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
83.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
84.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
85.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
86.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
87.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
88.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
89.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
90.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
91.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
92.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
93.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
94.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
95.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
96.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
97.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
98.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)
99.	LANDSCAPE DATA	110,000,000 (715) (00)	110,000,000 (715) (00)
100.	AREA	110,000,000 (715) (00)	110,000,000 (715) (00)

*Ref: 10/1/85  
Ex. 1*

**PLAT TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION**  
FROM NL-CS-1 & NL-IM TO BR-CS-1 & BR-IM

**GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
658 KENILWORTH DRIVE, SUITE 100  
TOWSON, MARYLAND 21204  
(301) 825-8120

**OWNER**  
**THE PRICE COMPANY**  
**% PEP BOYS**  
3111 WEST ALLEGHENY AVENUE  
PHILADELPHIA PA 19132

**THE PEP BOYS AT PRICE CLUB PLAZA**  
5510 PULASKI HIGHWAY BALTIMORE COUNTY, MARYLAND  
SCALE: 1" = 50' FEBRUARY 20, 1991  
SHEET 1 OF 2





